

60,469-193  
OT-5003**REMARKS**

Applicants thank the Examiner for the remarks and analysis contained in the Office Action. By way of this Amendment, claim 45 has been canceled without prejudice or disclaimer so as to advance prosecution. Claims 19 and 21-44 are pending. Applicants respectfully request reconsideration of this application.

**1. Objection to the Drawings**

The objection to the drawings is now moot as claim 45 has been canceled.

**2. Rejection of Claim 45 under 35 U.S.C. § 112**

The rejection of claim 45 under 35 U.S.C. § 112 is now moot as claim 45 has been cancelled.

**3. Claim Rejections under 35 U.S.C. §§ 102, 103**

Under 35 U.S.C. § 102(b), the Examiner rejected claims 19, 21, 22, 33, 37-40, and 44 as allegedly being anticipated by JP 2000-177949 ("*Toshiyuki*").

Under 35 U.S.C. § 103(a), the Examiner rejected:

- (a) claims 23, 26, 35, 39, and 43 as allegedly being obvious in view of *Toshiyuki*;
- (b) claims 24, 25, 34, and 45 as allegedly being obvious when considering *Toshiyuki* in view of U.S. Patent No. 6,405,834 ("*Chida*");
- (c) claims 27 and 36 as allegedly being obvious when considering *Toshiyuki* in view of U.S. Patent No. 5,271,455 ("*Semple*");
- (d) claims 28 and 42 as allegedly being obvious when considering *Toshiyuki* in view of U.S. Patent No. 6,305,499 ("*Jones*");
- (e) claim 29 as allegedly being obvious when considering *Toshiyuki* in view of *Jones* and further in view of JP 07-097157 ("*Kihachiro*"); and
- (f) claims 30-32 and 41 as allegedly being obvious when considering *Toshiyuki* in view of *Kihachiro*.

Applicants respectfully traverse each of the prior art rejections of claims 19 and 21-44.

Applicants respectfully submit that *Toshiyuki* does not anticipate any of Applicants' claims. None of the plate 22, the projecting walls 8A or the proposed combination of them is the same as Applicants' claimed support base and there is no anticipation.

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Applicants respectfully submit that the projecting walls 8A are not part of a support base as that term is defined in claim 19. Applicants' claimed support base is "distinct from the roof surface" and "supports the machine assembly." The walls 8A in *Toshiyuki* are part of the ceiling 8 (e.g., are not distinct from the roof). *Toshiyuki* says that the walls 8A are formed at the periphery of an opening 17, which is formed in the ceiling 8. The projecting walls 8A, therefore, are part of the roof -- not distinct from it. Additionally, the walls 8A do not support the machine assembly 14. Therefore, Applicants respectfully submit that the walls 8A cannot reasonably be interpreted as corresponding to Applicants' claimed support base, which supports the machine and is distinct from the roof.

*Toshiyuki's* plate 22 supports the machine 14 but does not correspond to Applicants' claimed base, either. The cover of Applicants' claim 19 is "directly secured to the support base" and the cover of Applicants' claim 33 is "secured to the support base." There is no contact between *Toshiyuki's* plate 22 and cover 18 (or 20). Therefore, the plate 22 cannot be reasonably interpreted as corresponding to Applicants' claimed base.

The Examiner interprets the projecting walls 8A and the plate 22 of *Toshiyuki* together as corresponding to Applicants' claimed base. *Toshiyuki's* plate 22 and walls 8A cannot be combined together to be the same as Applicants' support base because that combination cannot satisfy all of the limitations concerning Applicants' claimed support base. Even the proposed interpretation of the plate 22 and walls 8A together constituting a "support base" does not provide an arrangement that is the same as Applicants' claimed support base, which is distinct from the roof. If *Toshiyuki's* walls 8A are considered part of a support base, then that support base would no longer be distinct from the roof 8. Including the projecting walls 8A into a hypothetical "support base" requires that part of such a support base not be distinct from the roof (i.e., the projecting walls 8A are not distinct from the roof). Applicants' support base is distinct from the roof. Therefore, there is no anticipation.

None of *Chida*, *Semple*, *Jones*, and *Kihachiro* cures this deficiency of *Toshiyuki*. Therefore, none of Applicants' claims can be considered anticipated. Further, none of Applicants' claims can be considered obvious because even if *Toshiyuki* were combined with any of *Chida*, *Semple*, *Jones*, or *Kihachiro*, the result would not be what the Examiner contends. Even if the proposed combinations could be made, there still would not be a support base consistent with Applicants' claims. Therefore, there is no *prima facie* case of obviousness.

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Withdrawal of each of the §§ 102 and 103 rejections based on *Toshiyuki* is, therefore, both warranted and earnestly solicited.

### CONCLUSION

Applicants believe that this case is in condition for allowance. If the Examiner believes that a telephone conference will facilitate moving this case forward to being issued, Applicants' representative will be happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

The Commissioner is hereby authorized to charge any additional necessary fee or to credit any overpayment to deposit account 50-1482 in the name of Carlson, Gaskey & Olds.

Respectfully submitted,

**CARLSON, GASKEY & OLDS**

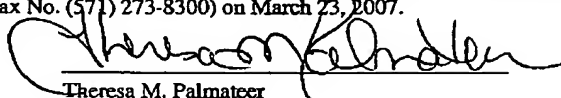


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### CERTIFICATE OF FACSIMILE

I hereby certify that this Response, relative to Application Serial No. 10/520,756, is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on March 23, 2007.

  
Theresa M. Palmateer

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